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ARTICLE 3

RELATING TO GOVERNMENT REFORM AND REORGANIZATION

SECTION 1. *Transferring certain revenue collection functions of the Department of Revenue, Division of Taxation, to the Department of Labor and Training.*

In any General or Special Law of the State of Rhode Island, and specifically in Title 28, Chapters 39, 40, 42 and 43 of the General Laws of Rhode Island, 1956, as amended, reference to the collection of temporary disability insurance, employment security taxes or job development fund by the division of taxation within the department of administration, now within the department of revenue, shall be construed to refer to the department of labor and training. Any reference to the tax administrator within the department of administration, now within the department of revenue, with reference to the collection of temporary disability insurance, employment security taxes or job development fund revenues shall be construed to refer to the director of the department of labor and training. Any revenue collection duties conferred upon the division of taxation or the tax administrator by said Title 28, Chapters 39, 40, 42 and 43 shall be construed to refer to the department of labor and training or the director of the department of labor and training.

The law revision director of the joint committee on legislative services is authorized and empowered to make appropriate changes in said Title 28, Chapters 39, 40, 42 and 43 and any other section of the laws to carry out the intent of this act.

SECTION 2. Section 27-4.6-3 of the General Laws in Chapter 27-4.6 entitled "Risk-Based Capital (RBC) for Insurers Act" is hereby amended to read as follows:

27-4.6-3. Company action level event.

(a) "Company action level event" means any of the following events:

(1) The filing of an RBC report by an insurer that indicates that:

(i) The insurer's total adjusted capital is greater than or equal to its regulatory action level RBC but less than its company action level RBC;

(ii) If a life and/or health insurer, the insurer has total adjusted capital that is greater than or equal to its company action level RBC but less than the product of its authorized control level RBC and ~~2.5~~ 3.0 and has a negative trend; or

(iii) If a property and casualty insurer, the insurer has total adjusted capital which is greater than or equal to its company action level RBC but less than the product of its authorized control level RBC and 3.0 and triggers the trend test determined in accordance with the trend test calculation included in the property and casualty RBC instructions.

1 (2) The notification by the commissioner to the insurer of an adjusted RBC report that  
2 indicates an event in subdivision (a)(1), provided the insurer does not challenge the adjusted RBC  
3 report under § 27-4.6-7; or

4 (3) If, pursuant to § 27-4.6-7, an insurer challenges an adjusted RBC report that indicates  
5 the event in subdivision (a)(1), the notification by the commissioner to the insurer that the  
6 commissioner has, after a hearing, rejected the insurer's challenge.

7 (b) In the event of a company action level event, the insurer shall prepare and submit to the  
8 commissioner an RBC plan which shall:

9 (1) Identify the conditions that contribute to the company action level event;

10 (2) Contain proposals of corrective actions that the insurer intends to take and would be  
11 expected to result in the elimination of the company action level event;

12 (3) Provide projections of the insurer's financial results in the current year and at least the  
13 four (4) succeeding years, both in the absence of proposed corrective actions and giving effect to  
14 the proposed corrective actions, including projections of statutory operating income, net income,  
15 capital and/or surplus. (The projections for both new and renewal business might include separate  
16 projections for each major line of business and separately identify each significant income, expense  
17 and benefit component);

18 (4) Identify the key assumptions impacting the insurer's projections and the sensitivity of  
19 the projections to the assumptions; and

20 (5) Identify the quality of, and problems associated with, the insurer's business, including,  
21 but not limited to, its assets, anticipated business growth and associated surplus strain,  
22 extraordinary exposure to risk, mix of business and use of reinsurance, if any, in each case.

23 (c) The RBC plan shall be submitted:

24 (1) Within forty-five (45) days of the company action level event; or

25 (2) If the insurer challenges an adjusted RBC report pursuant to § 27-4.6-7, within forty-  
26 five (45) days after notification to the insurer that the commissioner has, after a hearing, rejected  
27 the insurer's challenge.

28 (d) Within sixty (60) days after the submission by an insurer of an RBC plan to the  
29 commissioner, the commissioner shall notify the insurer whether the RBC plan shall be  
30 implemented or is, in the judgment of the commissioner, unsatisfactory. If the commissioner  
31 determines that the RBC plan is unsatisfactory, the notification to the insurer shall set forth the  
32 reasons for the determination, and may set forth proposed revisions which will render the RBC plan  
33 satisfactory in the judgment of the commissioner. Upon notification from the commissioner, the

insurer shall prepare a revised RBC plan, which may incorporate by reference any revisions proposed by the commissioner, and shall submit the revised RBC plan to the commissioner:

(1) Within forty-five (45) days after the notification from the commissioner; or

(2) If the insurer challenges the notification from the commissioner under § 27-4.6-7, within forty-five (45) days after a notification to the insurer that the commissioner has, after a hearing, rejected the insurer's challenge.

(e) In the event of a notification by the commissioner to an insurer that the insurer's RBC plan or revised RBC plan is unsatisfactory, the commissioner may at the commissioner's discretion, subject to the insurer's right to a hearing under § 27-4.6-7, specify in the notification that the notification constitutes a regulatory action level event.

(f) Every domestic insurer that files an RBC plan or revised RBC plan with the commissioner shall file a copy of the RBC plan or revised RBC plan with the insurance commissioner in any state in which the insurer is authorized to do business if:

(1) That state has an RBC provision substantially similar to § 27-4.6-8(a); and

(2) The insurance commissioner of that state has notified the insurer of its request for the filing in writing, in which case the insurer shall file a copy of the RBC plan or revised RBC plan in that state no later than the later of:

(i) Fifteen (15) days after the receipt of notice to file a copy of its RBC plan or revised RBC plan with the state; or

(ii) The date on which the RBC plan or revised RBC plan is filed under subsections (c) and (d) of this section.

SECTION 3. Section 31-3-33 of the General Laws in Chapter 31-3 entitled "Registration of Vehicles" is hereby amended to read as follows:

**31-3-33. Renewal of registration.**

(a) Application for renewal of a vehicle registration shall be made by the owner on a proper application form and by payment of the registration fee for the vehicle as provided by law.

(b) The division of motor vehicles may receive applications for renewal of registration, and may grant the renewal and issue new registration cards and plates at any time prior to expiration of registration.

(c) Upon renewal, owners will be issued a renewal sticker for each registration plate that shall be placed at the bottom, right-hand corner of the plate. Owners shall be issued a new, fully reflective plate beginning ~~June 1, 2020~~ July 1, 2022, at the time of initial registration or at the renewal of an existing registration and reissuance will be conducted no less than every ten (10) years.

(d) No later than August 15, 2019, and every fifteenth day of the month through August 15, 2020, the division of motor vehicles shall submit a report outlining the previous month's activity and progress towards the implementation of the license plate reissuance to the chairpersons of the house finance and senate finance committee, the house fiscal advisor, and the senate fiscal advisor. The report shall include, but not be limited to, information on the status of project plans, obstacles to implementation, and actions taken toward implementation.

SECTION 4. Effective January 1, 2022, section 31-10.3-20 of the General Laws in Chapter 31-10.3 entitled "Rhode Island Uniform Commercial Driver's License Act" is hereby amended to read as follows:

**31-10.3-20. Fees.**

The fees charged for commercial licenses, endorsements, classifications, restrictions, and required examinations shall be as follows:

(1) For every commercial operator's first license, thirty dollars (\$30.00);

(2) For every renewal of a commercial license, fifty dollars (\$50.00);

(3) For every duplicate commercial license, ten dollars (\$10.00);

(4) For every duplicate commercial learner's permit, ten dollars (\$10.00);

(5) For any change of:

(i) Classification(s), ten dollars (\$10.00);

(ii) Endorsement(s), ten dollars (\$10.00);

(iii) Restriction(s), ten dollars (\$10.00);

(6) For every written and/or oral examination, ten dollars (\$10.00);

(7) ~~The Rhode Island board of education shall establish fees that are deemed necessary for the Community College of Rhode Island~~ For the division of motor vehicles to administer the skill test, ~~not to exceed~~ one hundred dollars (\$100);

(8) For every commercial learner's permit, sixty dollars (\$60.00).

(9) [Deleted by P.L. 2019, ch. 49, § 1 and P.L. 2019, ch. 75, § 1].

SECTION 5. Section 35-17-1 and 35-17-3 of the General Laws in Chapter 35-17 entitled "Medical Assistance and Public Assistance Caseload Estimating Conference" are hereby amended to read as follows:

**35-17-1. Purpose and membership.**

(a) In order to provide for a more stable and accurate method of financial planning and budgeting, it is hereby declared the intention of the legislature that there be a procedure for the determination of official estimates of anticipated medical assistance expenditures and public

1 assistance caseloads, upon which the executive budget shall be based and for which appropriations  
2 by the general assembly shall be made.

3 (b) The state budget officer, the house fiscal advisor, and the senate fiscal advisor shall  
4 meet in regularly scheduled caseload estimating conferences (C.E.C.). These conferences shall be  
5 open public meetings.

6 (c) The chairpersonship of each regularly scheduled C.E.C. will rotate among the state  
7 budget officer, the house fiscal advisor, and the senate fiscal advisor, hereinafter referred to as  
8 principals. The schedule shall be arranged so that no chairperson shall preside over two (2)  
9 successive regularly scheduled conferences on the same subject.

10 (d) Representatives of all state agencies are to participate in all conferences for which their  
11 input is germane.

12 (e) The department of human services shall provide monthly data to the members of the  
13 caseload estimating conference by the fifteenth day of the following month. Monthly data shall  
14 include, but is not limited to, actual caseloads and expenditures for the following case assistance  
15 programs: Rhode Island Works, SSI state program, general public assistance, and child care. For  
16 individuals eligible to receive the payment under § 40-6-27(a)(1)(vi), the report shall include the  
17 number of individuals enrolled in a managed care plan receiving long-term care services and  
18 supports and the number receiving fee-for-service benefits. The executive office of health and  
19 human services shall report relevant caseload information and expenditures for the following  
20 medical assistance categories: hospitals, long-term care, managed care, pharmacy, and other  
21 medical services. In the category of managed care, caseload information and expenditures for the  
22 following populations shall be separately identified and reported: children with disabilities,  
23 children in foster care, and children receiving adoption assistance and RItE Share enrollees under §  
24 40-8.4-12(j). The information shall include the number of Medicaid recipients whose estate may  
25 be subject to a recovery and the anticipated amount to be collected from those subject to recovery,  
26 the total recoveries collected each month and number of estates attached to the collections and each  
27 month, the number of open cases and the number of cases that have been open longer than three  
28 months.

29 (f) Beginning July 1, 2022, behavioral healthcare, developmental disabilities and hospitals  
30 shall provide monthly data to the members of the caseload estimating conference by the fifteenth  
31 day of the following month. Monthly data shall include, but is not limited to, actual caseloads and  
32 expenditures for the private community developmental disabilities services program. Information  
33 shall include, but not be limited to the number of cases and expenditures from the beginning of the  
34 fiscal year at the beginning of the prior month; cases added and denied during the prior month;

1 expenditures made; and the number of cases and expenditures at the end of the month. The  
2 information concerning cases added and denied shall include summary information and profiles of  
3 the service-demand request for eligible adults meeting the state statutory definition for services  
4 from the division of developmental disabilities as determined by the division, including age,  
5 Medicaid eligibility and agency selection placement with a list of the services provided, and the  
6 reasons for the determinations of ineligibility for those cases denied. The department shall also  
7 provide, monthly, the number of individuals in a shared-living arrangement and how many may  
8 have returned to a 24-hour residential placement in that month. The department shall also report,  
9 monthly, any and all information for the consent decree that has been submitted to the federal court  
10 as well as the number of unduplicated individuals employed; the place of employment; and the  
11 number of hours working. The department shall also provide the amount of funding allocated to  
12 individuals above the assigned resource levels; the number of individuals and the assigned resource  
13 level; and the reasons for the approved additional resources. The department will also collect and  
14 forward to the house fiscal advisor, the senate fiscal advisor, and the state budget officer, by  
15 November 1 of each year, the annual cost reports for each community-based provider for the prior  
16 fiscal year. The department shall also provide the amount of patient liability to be collected and the  
17 amount collected as well as the number of individuals who have a financial obligation. The  
18 department will also provide a list of community-based providers awarded an advanced payment  
19 for residential and community-based day programs; the address for each property; and the value of  
20 the advancement. If the property is sold, the department must report the final sale, including the  
21 purchaser, the value of the sale, and the name of the agency that operated the facility. If residential  
22 property, the department must provide the number of individuals residing in the home at the time  
23 of sale and identify the type of residential placement that the individual(s) will be moving to. The  
24 department must report if the property will continue to be licensed as a residential facility. The  
25 department will also report any newly licensed twenty-four hour (24) group home; the provider  
26 operating the facility; and the number of individuals residing in the facility. Prior to December 1,  
27 2017, the department will provide the authorizations for community-based and day programs,  
28 including the unique number of individuals eligible to receive the services and at the end of each  
29 month the unique number of individuals who participated in the programs and claims processed.

30 **35-17-3. Additional meetings.**

31 (a) Any time during a fiscal year that any principal feels that the recommendations of the  
32 caseload estimating conference are no longer valid, then that principal, with the appropriate notice,  
33 may convene a caseload estimating conference. The principal requesting the additional conference  
34 shall be the chairperson for that conference.

1 (b) If at any time during a fiscal year any participant feels that the recommendations of the  
2 caseload estimating conference are no longer valid with the respect to their caseload sources then  
3 that participant has a duty to and shall notify each of the principals. The ~~director of the department~~  
4 ~~of human services~~ secretary of the executive office of health and human services shall review the  
5 concerns of each participant and determine whether the problems are sufficient to request an  
6 additional conference.

7 SECTION 6. Section 40.1-22-39 of the General Laws in Chapter 40.1-22 entitled  
8 “Developmental Disabilities” is hereby is hereby repealed.

9 **40.1-22-39. Monthly reports to the general assembly.**

10 ~~On or before the fifteenth (15th) day of each month, the department shall provide a~~  
11 ~~monthly report of monthly caseload and expenditure data, pertaining to eligible, developmentally~~  
12 ~~disabled adults, to the chairperson of the house finance committee; the chairperson of the senate~~  
13 ~~finance committee; the house fiscal advisor; the senate fiscal advisor; and the state budget officer.~~  
14 ~~The monthly report shall be in such form, and in such number of copies, and with such explanation~~  
15 ~~as the house and senate fiscal advisors may require. It shall include, but is not limited to, the number~~  
16 ~~of cases and expenditures from the beginning of the fiscal year at the beginning of the prior month;~~  
17 ~~cases added and denied during the prior month; expenditures made; and the number of cases and~~  
18 ~~expenditures at the end of the month. The information concerning cases added and denied shall~~  
19 ~~include summary information and profiles of the service demand request for eligible adults meeting~~  
20 ~~the state statutory definition for services from the division of developmental disabilities as~~  
21 ~~determined by the division, including age, Medicaid eligibility and agency selection placement with~~  
22 ~~a list of the services provided, and the reasons for the determinations of ineligibility for those cases~~  
23 ~~denied.~~

24 ~~The department shall also provide, monthly, the number of individuals in a shared living~~  
25 ~~arrangement and how many may have returned to a 24-hour residential placement in that month.~~  
26 ~~The department shall also report, monthly, any and all information for the consent decree that has~~  
27 ~~been submitted to the federal court as well as the number of unduplicated individuals employed;~~  
28 ~~the place of employment; and the number of hours working.~~

29 ~~The department shall also provide the amount of funding allocated to individuals above the~~  
30 ~~assigned resource levels; the number of individuals and the assigned resource level; and the reasons~~  
31 ~~for the approved additional resources. The department will also collect and forward to the house~~  
32 ~~fiscal advisor, the senate fiscal advisor, and the state budget officer, by November 1 of each year,~~  
33 ~~the annual cost reports for each community-based provider for the prior fiscal year.~~

1       ~~The department shall also provide the amount of patient liability to be collected and the~~  
2 ~~amount collected as well as the number of individuals who have a financial obligation.~~

3       ~~The department will also provide a list of community based providers awarded an~~  
4 ~~advanced payment for residential and community based day programs; the address for each~~  
5 ~~property; and the value of the advancement. If the property is sold, the department must report the~~  
6 ~~final sale, including the purchaser, the value of the sale, and the name of the agency that operated~~  
7 ~~the facility. If residential property, the department must provide the number of individuals residing~~  
8 ~~in the home at the time of sale and identify the type of residential placement that the individual(s)~~  
9 ~~will be moving to. The department must report if the property will continue to be licensed as a~~  
10 ~~residential facility. The department will also report any newly licensed twenty four hour (24) group~~  
11 ~~home; the provider operating the facility; and the number of individuals residing in the facility.~~

12       ~~Prior to December 1, 2017, the department will provide the authorizations for community-~~  
13 ~~based and day programs, including the unique number of individuals eligible to receive the services~~  
14 ~~and at the end of each month the unique number of individuals who participated in the programs~~  
15 ~~and claims processed.~~

16       SECTION 7. Section 42-142-8 of the General Laws in Chapter 42-14 entitled "Department  
17 of Revenue" is hereby amended to read as follows:

18       **42-142-8. Collection unit**

19       (a) The director of the department of revenue is authorized to establish within the  
20 department of revenue a collection unit for the purpose of assisting state agencies in the collection  
21 of debts owed to the state. The director of the department of revenue may enter into an agreement  
22 with any state agency(ies) to collect any delinquent debt owed to the state.

23       (b) The director of the department of revenue shall initially implement a pilot program to  
24 assist the agency(ies) with the collection of delinquent debts owed to the state.

25       (c) The agency(ies) participating in the pilot program shall refer to the collection unit  
26 within the department of revenue, debts owed by delinquent debtors where the nature and amount  
27 of the debt owed has been determined and reconciled by the agency and the debt is: (i) The subject  
28 of a written settlement agreement and/or written waiver agreement and the delinquent debtor has  
29 failed to timely make payments under the agreement and/or waiver and is therefore in violation of  
30 the terms of the agreement and/or waiver; (ii) The subject of a final administrative order or decision  
31 and the debtor has not timely appealed the order or decision; (iii) The subject of final order,  
32 judgment, or decision of a court of competent jurisdiction and the debtor has not timely appealed  
33 the order, judgment, or decision. The collection unit shall not accept a referral of any delinquent  
34 debt unless it satisfies subsection (c)(i), (ii) or (iii) of this section.



1 (d) Any agency(ies) entering into an agreement with the department of revenue to allow  
2 the collection unit of the department to collect a delinquent debt owed to the state shall indemnify  
3 the department of revenue against injuries, actions, liabilities, or proceedings arising from the  
4 collection, or attempted collection, by the collection unit of the debt owed to the state.

5 (e) Before referring a delinquent debt to the collection unit, the agency(ies) must notify the  
6 debtor of its intention to submit the debt to the collection unit for collection and of the debtor's right  
7 to appeal that decision not less than thirty (30) days before the debt is submitted to the collection  
8 unit.

9 (f) At such time as the agency(ies) refers a delinquent debt to the collection unit, the agency  
10 shall: (i) Represent in writing to the collection unit that it has complied with all applicable state and  
11 federal laws and regulations relating to the collection of the debt, including, but not limited to, the  
12 requirement to provide the debtor with the notice of referral to the collection unit under subsection  
13 (e) of this section; and (ii) Provide the collection unit personnel with all relevant supporting  
14 documentation including, but not limited to, notices, invoices, ledgers, correspondence,  
15 agreements, waivers, decisions, orders, and judgments necessary for the collection unit to attempt  
16 to collect the delinquent debt.

17 (g) The referring agency(ies) shall assist the collection unit by providing any and all  
18 information, expertise, and resources deemed necessary by the collection unit to collect the  
19 delinquent debts referred to the collection unit.

20 (h) Upon receipt of a referral of a delinquent debt from an agency(ies), the amount of the  
21 delinquent debt shall accrue interest at the annual rate of interest established by law for the referring  
22 agency or at an annual rate of 13%, whichever percentage rate is greater.

23 (i) Upon receipt of a referral of a delinquent debt from the agency(ies), the collection unit  
24 shall provide the delinquent debtor with a "Notice of Referral" advising the debtor that:

25 (1) The delinquent debt has been referred to the collection unit for collection; and

26 (2) The collection unit will initiate, in its names, any action that is available under state law  
27 for the collection of the delinquent debt, including, but not limited to, referring the debt to a third  
28 party to initiate said action.

29 (j) Upon receipt of a referral of a delinquent debt from an agency(ies), the director of the  
30 department of revenue shall have the authority to institute, in its name, any action(s) that are  
31 available under state law for collection of the delinquent debt and interest, penalties, and/or fees  
32 thereon and to, with or without suit, settle the delinquent debt.

33 (k) In exercising its authority under this section, the collection unit shall comply with all  
34 state and federal laws and regulations related to the collection of debts.

1           (l) Upon the receipt of payment from a delinquent debtor, whether a full or partial payment,  
2 the collection unit shall disburse/deposit the proceeds of the payment in the following order:

3           (1) To the appropriate federal account to reimburse the federal government funds owed to  
4 them by the state from funds recovered; and

5           (2) The balance of the amount collected to the referring agency.

6           (m) Notwithstanding the above, the establishment of a collection unit within the department  
7 of revenue shall be contingent upon an annual appropriation by the general assembly of amounts  
8 necessary and sufficient to cover the costs and expenses to establish, maintain, and operate the  
9 collection unit including, but not limited to, computer hardware and software, maintenance of the  
10 computer system to manage the system, and personnel to perform work within the collection unit.

11           (n) In addition to the implementation of any pilot program, the collection unit shall comply  
12 with the provisions of this section in the collection of all delinquent debts under this section.

13           (o) The department of revenue is authorized to promulgate rules and regulations as it deems  
14 appropriate with respect to the collection unit.

15           (p) By September 1, 2020, and each year thereafter, the department of revenue shall  
16 specifically assess the performance, effectiveness, and revenue impact of the collections associated  
17 with this section, including, but not limited to, the total amounts referred and collected by each  
18 referring agency during the previous state fiscal year to the governor, the speaker of the house of  
19 representatives, the president of the senate, the chairpersons of the house and senate finance  
20 committees, and the house and senate fiscal advisors. The report shall include the net revenue  
21 impact to the state of the collection unit.

22           ~~(q) No operations of a collection unit pursuant to this chapter shall be authorized after June~~  
23 ~~30, 2021.~~

24           SECTION 8. This article shall take effect upon passage, except for section 4, which shall  
25 take effect on January 1, 2022.